

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

UNITED STATES OF AMERICA,
Plaintiff,

v.

ALEXANDRU BITTNER,
Defendant.

Case No. 4:19-cv-00415

Third Declaration of Herbert W. Linder Pursuant to 28 U.S.C. 1746

Pursuant to 28 U.S.C. § 1746, Herbert W. Linder declares:

1. My name is Herbert W. Linder. I am employed as an attorney with the United States Department of Justice, Tax Division, Southwestern Civil Trial Section. In that capacity, I am one of the attorneys assigned the responsibility for handling the case of the United States v. Alexandru Bittner. In connection with this case, I have received certain files from the Internal Revenue Service, the defendant, the Department of the Treasury, third parties and the United States Department of Justice. The Government Exhibits listed below are numbered such that each exhibit bears the same exhibit number for all uses in the case. For example, Government Exhibit 1 would be same Government Exhibit 1 as used in each witness deposition and this motion.

2. Government Exhibit 40 is a true and correct copy of Defendant Bittner's certification statement which came out of the files provided by the IRS.

3. Government Exhibit 73 is a true and correct copy of former Internal Revenue Service manager Mike Reneau's Declaration which came out of the United States Department of Justice legal files.

4. Government Exhibit 74 is a true and correct copy of former Internal Revenue Service FBAR Coordinator Joselyn Albers' Declaration which came out of the United States Department of Justice legal files.

5. Government Exhibit 75 are true and correct copies of IRS transcripts for Defendant Bittner's 1987-1989 tax years which came out of the files provided by the IRS.

6. Government Exhibit 76 is a true and correct copy of a 1988 Form 1040 tax return obtained from the IRS records and publicly available at IRS.gov.

7. Government Exhibit 77 is a true and correct copy of a 1989 Form 1040 tax return obtained from the IRS records and publicly available at IRS.gov.

8. Government Exhibit 78 is a true and correct copy of a 1988 Schedule A/B for a Form 1040 tax return obtained from the IRS records and publicly available at IRS.gov.

9. Government Exhibit 79 is a true and correct copy of a 1989 Schedule A/B for a Form 1040 tax return obtained from the IRS records and publicly available at IRS.gov.

10. Government Exhibit 80 is a true and correct copy of Bittner's 1990 tax return with schedules which came out of the files provided by the IRS.

11. Government Exhibit 81 is a true and correct copy of the 1988 Form 1040 tax return instructions for Schedule B obtained from the IRS records and publicly available at IRS.gov.

12. Government Exhibit 82 is a true and correct copy of the 1989 Form 1040 tax return instructions for Schedule B obtained from the IRS records and publicly available at IRS.gov.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on the 4th day of May, 2020.

/s/ Herbert W. Linder

Herbert W. Linder